

Winter of Fear

*Nature, Brucellosis Fear Drive
Yellowstone's Bison to the Edge*

A severe winter and a harsh policy have killed more than a thousand bison in Yellowstone National Park and could threaten the integrity of the last free-ranging bison herd in the United States.

To avert a tragedy, Secretary Babbitt appealed to Montana state officials to stop shooting bison that wander out of the park in search of food, saying there is no credible evidence that free-ranging bison spread brucellosis to cattle in the wild. Babbitt also asked the National Academy of Science to bring its authoritative voice to the debate “to see if we can reduce the level of misunderstanding about brucellosis.”

“Between the ice and the snow and what’s left of the harsh winter, and the killing by Montana, there is cause for serious concern about the integrity of the herd,” Babbitt said at a March 17 news conference. “The bison population could drop to critical levels if continued shooting adds to the expected winter mortality. The needless and unnecessary shooting of Yellowstone bison must stop.”

National Park Service biologists estimated in early March that the original herd of up to 3500 animals had been reduced to 1,200-1,500 animals on park and adjacent National Forest land. An aerial survey on March 18 by biologist **Mary Meagher**, who has studied Yellowstone bison for decades, counted only 1,089. These survey estimates are approximations. On-the-ground verification can not be accomplished until winter abates in Yellowstone.

Of the original herd, more than 1,080 have either been sent to slaughter houses or killed by shooters from Montana’s Department of Livestock. And the extremely harsh winter conditions are expected to cause more natural mortality—winter kill—inside the park this year.

An early and heavy snowpack followed by a warm rainy spell and a return of frigid weather formed sheets of thick ice over winter forage for the bison in areas of the park, causing some of the animals to die of starvation and cold. The snowpack remained at 200 percent of its normal level through March, burying park ranges. Other bison migrated from the park highland to lower elevations of the Yellowstone ecosystem in search of food. These areas, mostly National Forest lands, historically served as the bison’s winter range.

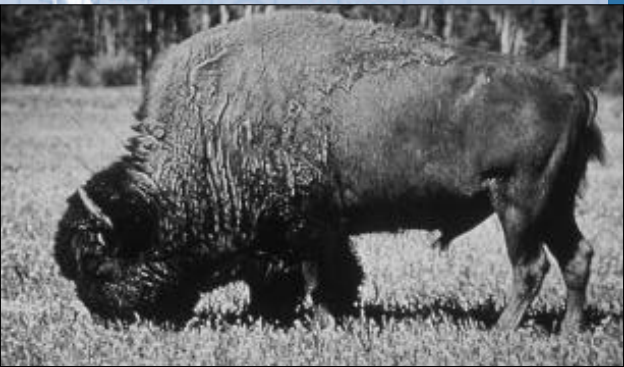
Fearing that brucellosis carried by some bison could infect the state’s cattle, Montana officials began



killing animals that wandered beyond the park’s borders onto National Forest or private land. Brucellosis bacteria carried in the reproductive track of the animal has little effect on bison but can cause cattle to abort their first calves and produce less milk. However, there is no evidence that the disease has ever spread from Yellowstone bison to cattle in the wild.

Montana officials even fear that the presence of Yellowstone buffalo on these public lands could cause the state to lose its brucellosis class-free status and hurt its cattle industry. But the U.S. Department of Agriculture assured the officials that the state would not lose that status if only those cattle commingling with bison were inspected for the disease. Nevertheless, the state is legally permitted to kill bison that wander out of the park. The Federal Government does not have the authority to compel Montana to stop the shooting, Babbitt said.

Under the Interim Bison Management Plan, Montana had sent 510 animals (including 462 captured by the NPS) to slaughter and shot another 563 by mid-March. NPS has destroyed seven additional bison due to injuries the animals sustained in capture or shooting operations. Since January 30, the NPS and the USDA had asked Montana to stop killing bison on National Forest land next to the park and to reduce the killing of bison on private lands in the area. During winter, no cattle graze on this land nor do cattle graze within miles of the area.



“I recognize that there are differences of opinion on this issue and that there are people of good will on both sides,” Babbitt emphasized, “but there is not a single documented case of brucellosis transmitted from wild bison to cattle under range conditions. You could shoot and slaughter the Yellowstone herd into extinction and still not eliminate brucellosis. It is carried in the wild by tens of thousands of elk, and is endemic in some areas in other wildlife. There is no need for this obsession with bison. Even in the most extreme scenario, this would not eradicate brucellosis.”

The issue needs to be dealt with in a rational, objective manner, Babbitt explained, saying the National Academy of Science, as an independent advisor to the Federal Government, can help allay unreasonable fears. The Academy can determine whether there is a real risk of brucellosis transmission from the wild bison to the cattle herds outside Yellowstone park, ways to combat the disease, and possibly help to develop an effective vaccine to prevent brucellosis. While cattle can be inoculated against brucellosis, there is no effective vaccine for bison and elk.

The six-month study would be equally funded by the National Park Service and the Biological Resources Division of the U.S. Geological Survey. Babbitt asked that the report be completed by October 1, before next winter sets in, so that the Department can work with public and private landowners in the Yellowstone ecosystem on a rational management plan for the herd—and avoid repeating this year’s slaughter. When Yellowstone’s winter abates by mid-April, it should be easy to move the bison back into the park, but until then Babbitt urged Montana officials to observe a moratorium on shooting the animals.

Bison Facts and Fancy

More than 30 million free-ranging bison (*Bison bison*) once roamed the West but were hunted to near extinction in the 19th century. Today an estimated 500,000 to 750,000 bison are in the United States, said **John Varley**, a naturalist and director of the Yellowstone Center for Resources. Most are privately owned and managed on private land. Fewer than 20,000 are maintained on public lands. The bison is not a threatened or endangered species.

By 1902 only 23 wild bison remained in Yellowstone National Park and bison were relocated to the park from private herds in Montana and Texas to form the nucleus of today’s herd. The park’s philosophy is to manage and allow ecosystem processes to regulate herd numbers. As free-ranging bison, they naturally migrate to lower elevations and retreat to thermal basins and geysers during harsh winters. They are not zoo animals to be penned. Up to 1994, the park had experienced 12 years of mild winters, during which the herd

grew to 3,900 animals. In recent years, the weather returned to normal or harsh winters.

Snowmobile trails for winter vacationers at Yellowstone have altered some bison movement patterns. Bison use these energy efficient pathways to move more easily around the park, especially in winter. That has contributed to the population increase. However, most of the migration out of the northern reaches of the park this winter took place along ancient routes that the bison use, Varley said. The natural die-off of bison is part of the dynamic equilibrium that regulates wildlife populations in the park, he explained. Black bears and grizzlies will feed on the carcasses as will magpies, ravens, golden eagles, coyotes, and foxes, increasing their populations.



Back to the Drawing Board

BLM Halts Action on Law Enforcement Rule

In response to public concerns, the Bureau of Land Management has halted action on a proposal to consolidate its law enforcement regulations.

“We hear the users of the public lands and we will do all that we can to help them understand the legal authority of BLM under existing federal statutes,” said **Sylvia Baca**, acting director of the bureau. “BLM will go back to the drawing board, and any future attempt to improve existing regulations and make them more understandable to public land users will include better public education efforts to explain the BLM law enforcement program.”

The rule proposed by BLM attempted to revise, consolidate, and rewrite most of its law enforcement regulations—that are now scattered throughout the Code of Federal Regulations—in an effort to help the public understand the actions BLM officers may take to implement existing law enforcement authority.

The process began last November 7 when BLM published a notification in the Federal Register, announcing the proposal to consolidate existing regulations dealing with informing the public about lawful conduct on public lands.



“...[T]he BLM has provided cross references to existing rules from which it derives its authority; it did not conjure up the new rules out of thin air. It’s just that putting the existing regulations together in catechetical form has obviously alarmed many people in the West—a reaction which actually tends to support the BLM’s argument for the need for clarification...[R]evisiting the proposal might build the public understanding that the agency intended to develop.”

The Salt Lake Tribune
March 15, 1997

Ranchers, sportsmen, and western political leaders expressed concerns with the consolidation proposal, saying it appeared to be an expansion of the bureau’s authorities. BLM twice extended the public comment period to further explain the initiative, but many of the comments it received continued to show confusion and

misinformation about the regulations. The last 30-day comment period ended March 7.

Secretary Babbitt said the decision to stop further action on the proposal was based on this misunderstanding. “This action does not diminish the legal authority of BLM law enforcement officers on public land,” Babbitt said on March 11. “But it is very clear that we have not done a good job of clarifying regulations and communicating BLM’s legal authority to protect public

health, safety, and environmental resources on America’s public lands.”

“I’ve been contacted personally by Idaho **Governor Phil Batt** and several members of Congress, who have expressed the concerns of many,” Babbitt said. In a letter to Batt, Babbitt said BLM would reexamine the issue from the beginning and find ways to gain a higher level of acceptance before proceeding.

Greening of Federal Shoppers

Ken Naser, Environmental Policy and Compliance

Buying tables and benches made of recycled plastic. Or using re-refined oil for motor pool maintenance. Call it environmentally preferable, green procurement, or simply making wise shopping choices. Whatever label the effort is given, the goals of the Environmentally Preferable Purchasing Program are clear—to make environmental performance a factor in Federal Government purchasing decisions, along with product performance and cost.

And the benefits of the program, which will be a major feature of a July conference, can be significant. The program was created under Executive Order 12873, which is aimed at preventing waste whenever practical and feasible, recycling, and procuring recycled content and other environmentally preferable products.

The Department prevents waste by reusing, recycling, and remanufacturing rather than throwing spent products into a landfill or incinerator. The item that is recycled doesn’t become a valuable resource, however, unless there is a demand for its use—that’s called Closing the Circle. And government employees at every level in every career field can make a difference in this area.

When asking procurement personnel to obtain certain chemicals, products, or

materials, be aware not only of their content and origin but also of their life cycle: What will happen when you are finished with the product? Is there a waste associated with the product, and does that waste in itself become a problem?

Facility managers in particular must pay attention to what comes into their facility as part of their routine business because they are responsible for the ultimate disposal of the by-product of their activities. It makes sense to purchase a product that has a useful after-life (that is recyclable, for example), rather than a product that the facility manager might have to pay someone to treat or remove from the premises!

The Environmental Protection Agency has articles available to inform people about environmentally preferable products and assist them in making informed choices. The agency also is sponsoring a July 16-17 symposium with the U.S. Conference of Mayors that is intended to bring together the government purchasers and those who provide environmentally preferable goods and services.

The Greening of Federal Purchasing conference will be held at the Sheraton Inner Harbor Hotel in Baltimore. For further information within the Department of the Interior, contact the Office of Environmental Policy and Compliance on (202) 208-7877.



NPS Adds 45 Sites to User Fee Program

The National Park Service has begun the second phase of a Congressionally authorized three-year fee demonstration program aimed at helping NPS and other Interior land management agencies repair roads, bridges, buildings, and other facilities at parks, refuges and national recreation areas.

The test program authorizes federal land management agencies, including the National Park Service, Fish and Wildlife Service, and Bureau of Land Management to increase and retain entrance fees and user fees at up to 100 sites per agency.

Phase II, announced March 12, includes 45 additional NPS sites. Some locations will begin charging the new fees immediately, but the majority of sites will implement the new rates on May 23.

In Phase I, announced last November, the fee demonstration program went into effect at 48 NPS projects. Under the first phase, the NPS and the Department of Agriculture also announced in January that the Golden Eagle Passport would be increased from \$25 to \$50.

“Revenues derived from this test program will provide needed funds to begin fixing the badly deteriorated infrastructure of our aging park system,” said **NPS Director Roger Kennedy**, who cited an estimated \$5.6 billion backlog in repair and maintenance projects. “These revenues also will

fund visitor education and recreation programs, and resource protection efforts.”

In the past, fees were deposited into the U.S. Treasury and distributed by Congress back to the NPS through the appropriation process. In contrast, the fee demonstration program allows participating park sites to keep up to 80 percent of the new fee revenue on site and target the remaining 20 percent to other sites in the National Park System that are most in need. The program is expected to generate more than \$140 million for the NPS over the course of the three-year test.

A list of the NPS sites can be found at, http://www.nps.gov/pub_aff/press/2nd45.htm



NPS Director
Roger Kennedy

mark your calendar!

Partnership for the 21st Century: Greening Federal Purchasing

July 16th and 17th, 1997 • Sheraton Inner Harbor Hotel, Baltimore, Maryland

Who Should Attend	Conference Objectives
Federal officials who wish to promote their purchase and use of products with environmentally preferable attributes. It recognizes who manufacture environmentally preferable products (including federal facility & non-federal managers, federal acquisition & procurement policy managers & personnel, government environmental managers, environmental health & safety managers, & product manufacturers, suppliers, & designers.	To protect and promote a market for environmentally preferable commercial products by the federal government.

Why?
Federal agencies are required to buy and use "environmentally preferable" products under section 565 of Executive Order 12873. This is the first national conference which will highlight both the federal government's and the private sector's need up-to-date knowledge in this area. It will be an excellent opportunity to share information and discuss related demonstration or potential pilot projects.

The cost is \$50 per attendee.
For more information, contact: Law Subivicki, Office of the Federal Environmental Executive (202) 268-3297 John Shaul, EPA's Environmentally Preferable Purchasing Program (202) 260-1831 Richard Kochan, the U.S. Conference of Mayors (202) 822-9058

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Please answer carefully: I am a representative of: <input type="checkbox"/> Federal Procurement/Acquisition <input type="checkbox"/> Federal Environmental <input type="checkbox"/> Federal Facility Management <input type="checkbox"/> Manufacturing _____ M _____ S <input type="checkbox"/> NGO (non-governmental)

Please fax to (202) 429-0422, or mail to USGCM, 1620 Eye Street, NW, Suite 600, Washington, DC 20006.